

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA	:	
	:	
Plaintiff,	:	
	:	
v.	:	Criminal Action No. 07-20-GMS
	:	
ANTHONY FRIDAS,	:	
	:	
Defendant.	:	

MOTION TO TEMPORARILY MODIFY CONDITIONS OF RELEASE

Defendant, Anthony Fridas, by and through his undersigned counsel, Christopher S. Koyste, hereby moves the Court to issue an order that temporarily modifies his conditions of release to: 1) allow Mr. Fridas to be removed from electronic monitoring between February 27, 2007 and March 1, 2007; and 2) leave the State of Delaware so that he may attend an employment required annual trade show in Williamsburg, Virginia. Counsel submits the following in support thereof:

1. Mr. Fridas was indicted on February 6, 2007 on six counts involving child pornography, in violation of 18 U.S.C. § 2252A. At his initial appearance on February 8, 2007, Mr. Fridas entered a plea of not guilty to the Indictment and was granted pretrial release. Pertinent conditions of pretrial release include: a prohibition against travel outside of Delaware without permission of pretrial services; participation in mental health treatment; home detention including electronic monitoring; and a requirement that Mr. Fridas maintain his employment.

2. Craig Carpenter, the Pretrial Services Officer supervising Mr. Fridas, has represented that Mr. Fridas has been fully compliant with all pretrial release conditions, including, but not limited to complying with his home confinement schedule and participation in mental health counseling with two clinicians.

3. As required, Mr. Fridas has maintained his employment as a manager for GPM Investments, LLC, where he has been working since April 2006.

4. As part of his employment, Mr. Fridas is required to attend a trade show in Williamsburg, Virginia between February 27, 2007 and March 1, 2007. Mr. Fridas' employer will provide a bus to transport Mr. Fridas and fellow employees to the event. Mr. Fridas has provided documentation to Pretrial Services Officer Carpenter to support his need to attend this trade show in order to maintain his employment. Mr. Fridas asserts that his attendance is essential to maintaining his employment, which is his sole means of providing financial support for his family.

5. As such, Mr. Fridas seeks a temporary modification of the release conditions requiring home detention and a prohibition against his travel outside of the state of Delaware.

6. Because of Mr. Fridas' compliance with his release conditions, and due to the fact that a modification is only sought for employment purposes, Mr. Carpenter has informed Counsel that he does not oppose a temporary modification of Mr. Fridas' release conditions to permit this travel outside of Delaware for employment purposes. Mr. Carpenter also does not oppose the temporary lifting of the electronic monitoring condition.¹

7. Counsel has spoken with Edmond Falgowski, counsel for the government, who represented that he does not oppose this motion.

¹If permitted to attend the trade show, Mr. Fridas would be required to stay in cell phone contact with Mr. Carpenter.

WHEREFORE, Mr. Anthony Fridas respectfully requests that the Court issue an Order temporarily modifying his conditions of pretrial release to allow Mr. Fridas to be removed from electronic monitoring between February 27, 2007 and March 1, 2007, and travel to Williamsburg, Virginia to attend an employment required annual trade show.

/s/

CHRISTOPHER S. KOYSTE, ESQUIRE

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Attorney for Anthony Fridas

Dated: February 22, 2007

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ANTHONY FRIDAS,	:	
	:	
Defendant.	:	

ORDER

In response to the Defense's Motion to Temporarily Modify Conditions of Release, this Court hereby Orders on this _____ day of February 2007, that Defendant Fridas' conditions of release are temporarily modified to allow Mr. Fridas to travel to Williamsburg, Virginia and be removed from electronic monitoring between February 27, 2007 and March 1, 2007.

The Honorable Gregory M. Sleet
United States District Court Judge

CERTIFICATE OF SERVICE

Undersigned counsel certifies that the accompanying Motion is available for public viewing and downloading and was electronically delivered on February 22, 2007 to:

Edmond Falgowski, Esq.
Assistant United States Attorney
1007 Orange Street, Suite 700
Wilmington, Delaware 19801

_____/s/_____
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